

the...some of the legal issues that are involved in this decision, but I'm going to try to go through the process that I went through. First off, in 1991, when DAS withheld this money, did they properly withhold the money? Were they acting legally by withholding the money even though she had put in a request to have these dues, her union dues, not withheld any longer by the state of Nebraska? DAS did not know. They did not know what the best approach should have been and they really would not have known until 1994, until the Auditor made a request to the Attorney General on this specific issue. Now, according to the Attorney General's Opinion in 1994, DAS should have withheld the money...should not, excuse me, DAS should not have withheld this money. Kate Hansen should have been allowed to not have these union dues withheld in 1991, according to the 1994 decision. But in 19...there was a change in the labor contract down the road after the Supreme Court decision, after the 1991 issue that was raised by Kate Hansen, and there was a change in the union contract with the state of Nebraska which stated specifically that if a union member wanted to leave, they had to leave only during the month of June. That was the only time period that they could give notice to the state of Nebraska and to the union, and in that particular month they could leave the union and have their dues stop being given to NAPE. But that was a change that occurred later. Now, currently what would happen if a state employee that's a member of NAPE chose to leave the union? Could they do it during the month of April? No, they could not because of the contract that was signed by the state of Nebraska and the NAPE representatives that provided that they can only leave during the month of June. So...and that's what the...that's what the Attorney General's Opinion states in that last paragraph. That's his opinion as to how this process would work. So was Kate Hansen...that's why there's been kind of a difference, changes within the committee, because at the current time, no, she would not be entitled to it, but back in '91 she probably was entitled to it, but did the state agency act in the proper manner? Well, they didn't have anything to rely on so they felt that they were acting in the proper manner. We're representing a claim against the state of Nebraska. At the time, the committee felt, as a matter of equity and fairness, that, yes, she was entitled to it back then so she should receive the money. In the time period that the bill was sent out of committee and brought before this body, I received information which stated that she was an active member and maybe it wasn't the fairest thing for us to do to be providing this